करने के लिए कि जब एमटीएनएल से कोई कर्मचारी सेवानिवृत्त हो, तो भारत सरकार उसकी पेंशन का भुगतान करे। तदनुसार भारत सरकार एमटीएनएल से सेवानिवृत्त होने वाले कर्मचारियों को सरकार की ओर से पेंशन भुगतान हेतु सीजीएम एनटीआर दिल्ली को नामित किया गया। यह व्यवस्था वर्ष 2000 तक चलती रही। वर्ष 2000 में कर्मचारियों के एमटीएनएल में विलयन की प्रक्रिया पूर्ण हुई। उसके बाद तुरन्त ही सीजीएम एनटीआर ने पेंशन भुगतान करना बन्द कर दिया। 21.11.2000 के एक पत्र के द्वारा डीओटी ने इस मामले में हस्तक्षेप करते हुए एमटीएनएल को निर्दिष्ट किया कि अगली व्यवस्था होने तक एमटीएनएल अपने स्त्रोतों से पेंशन भुगतान करे। तब से यह व्यवस्था आज तक जारी है। सरकार की ओर से इस मद में एक पैसे का भी अंशदान नहीं प्राप्त हुआ। सितम्बर 2000 में सरकार ने पेंशन नियमावली 1972 के अनुच्छेद 37A में संशोधन किया। अक्टूबर 2000 में भारत संचार निगम का निर्माण हुआ एवं भारत संचार निगम के कर्मचारियों (ग्रुप-बी,सी व डी) को पेंशन नियमावली 1972 के अनुच्छेद 37A के संशोधित प्रावधानों के अनुसार पेंशन भ्ुगतान का प्रबन्ध किया गया एवं एमटीएनएल के भी ग्रुप-बी अधिकारियों को संशोधित नियमावली के तहत ही पेंशन का प्रावधान किया गया। आश्वासनों की मर्यादा न रखते हुए सरकार ने एमटीएनएल के ग्रुप सी व डी कर्मचारियों को संशोधित पेंशन नियमावली के प्रावधानों के तहत प्राप्त व्यवस्था से वंचित कर दिया। सरकार के इस कदम के विरोध में एमटीएनएल कर्मचारी संगठनों ने विरोध कर आन्दोलनात्मक रुख अपनाया। सरकार ने कर्मचारी आन्दोलनों से निजात पाने हेतु पत्र क्रमांक - 40-29/2002 Pen(T), दिनांक 29 अगस्त, 2002 तथा पत्र क्रमांक 33-4/2002-SR, दिनांक 15 जुलाई, 2002 के तहत यह लिखित आश्वासन दिया कि सरकार कर्मचारियों की मांगों से सहमत है तथा 31.8.2002 तक मांगों की पूर्ति हेतु औपचारिकताएँ पूर्ण कर दी जाएंगी। दुर्भाग्य की बात है कि संसद के पटल पर एवं कर्मचारी संगठनों को दिए वायदे से सरकार मुकर रही है।

एमटीएनएल से सेवानिवृत्त हुए और देश के सभी भागों में बसे कर्मचारी पेंशन प्राप्ति हेतु बार-बार दिल्ली का चक्कर काटने को विवश हो रहे हैं। सरकार की ओर से अपने ही स्त्रोतों से पेंशन भुगतान किए जाने के लिए कहे जाने से एमटीएनएल की वित्तीय स्थिति संकट में है, जिसके कारण कर्मचारियों को देय वेतन, भत्ता एवं अन्य लाभ तथा कम्पनी का विस्तार प्रभावित हो रहा है।

अत: मैं सरकार से मांग कर रहा हूँ कि सरकार संसद के पटल पर एवं कर्मचारी संगठनों को दिए लिखित आश्वासनों को पूर्ण करे, पेंशन नियमावली 1972 के अनुच्छेद 37A के प्रावधानों को बीएसएनएल कर्मचारियों की तरह ही एमटीएनएल कर्मचारियों पर लागू करे तथा FR-116 एवं 117 के तहत एमटीएनएल से भी पेंशन का अंशदान ही ले एवं सरकार स्वयं पेंशन का भुगतान करे। हम लोग बहुत दिनों से इस आशय की मांग करते आ रहे हैं। इस सदन के सम्मानित सदस्य श्री भारतकुमार राऊत भी महीनों पहले इस विषय पर मांग कर चुके हैं।

———————

GOVERNMENT BILLS

MR. DEPUTY CHAIRMAN: Now, Mr. P. Chidambaram to move the Central Industrial Security Force (Amendment) Bill, 2008.

The Central Industries Security Force (Amendment) Bill, 2008

THE MINISTER OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): Sir, I beg to move:

That the Bill further to amend the Central Industrial Security Force Act, 1968, be taken into consideration.

Sir, this is a Bill to amend the Central Industrial Security Force Act to enable the CISF to extend security cover to establishments in the private sector, as well as, in the joint sector.

There are a number of establishments in the joint sector, as well as, in the private sector which are important both to the economy and to the security of the country. Some examples are oil installations, refineries, coal mines, ports, etc., and, therefore, we think that the times demand that the CISF be, probably, extended to these establishments also. That is the main purpose of this amendment. The CISF is one of our best-trained and best-equipped forces today. It has a strength of 1,12,534 officers and men. It is deployed in 280 establishments. We have permitted further raising of the CISF to 1,45,000. We think, with the demands that are coming in, the strength of this Force can be raised over a period of time and deployed. The CISF, of course, will continue to provide security to the public sector establishments and many more will be covered. There will be no, I will repeat there will be no, question of reducing the CISF cover to the public sector. The first claim to the CISF will be of the Government and the public sector. As the Force is raised and its strength increases, we will respond to requests from the joint sector and the private sector; and depending upon the importance of that establishment we will consider extending the CISF security cover. It will not happen overnight because the Force has to be raised. We will also do a risk analysis before we decide to accept the engagement. We will rely on modern technology and modern gadgetry. We will, of course, give preference to areas which are, today, more vulnerable like naxaliteaffected areas or areas more vulnerable to terrorist attacks. We are grateful to the Standing Committee which has broadly endorsed the Bill. The Standing Committee has, of course, taken note of the statements made by the Home Secretary and the officials of the Ministry of Home Affairs and said that the CISF must remain only a security force and must not intervene in land disputes or industrial disputes. That goes without saying. The CISF has never intervened in land disputes or industrial disputes or law and order disputes. Its business is to ensure the security of the establishment. If any dispute arises, that will be taken up by the local police which is responsible for law and order, and the CISF will remain completely neutral and stay away from all these disputes. There are standard procedures which are in place for many years. This is led by an officer of a very high rank, the DG rank. We are strengthening the supervisory ranks also. I would request the hon. Members to kindly discuss and pass this Bill.

The question was proposed.

MR. DEPUTY CHAIRMAN: The motion is moved. Shri S. S. Ahluwalia.

श्री **एस.एस. अहलुवालिया** (झारखंड) : उपसभापति महोदय, मैं केन्द्रीय औद्योगिक सुरक्षा बल (संशोधन) विधेयक, 2008 पर बोलने के लिए खड़ा हुआ हूं। महोदय, यह सुरक्षा बल 1968 में बनाया गया था। मैं जिस झारखंड राज्य से आता हूं, वहां की HEC में 1964 में एक devastating आग लगी थी। उस आग लगने की जांच में यह पाया गया कि वहां पर sabotage हुआ था और वहां कोई षडयंत्र करके जलाया गया था, तब केन्द्र सरकार ने सोचा कि हमें एक सुरक्षा बल बनाना चाहिए। 1964 की रिपोर्ट आने के बाद 1968 में यह औद्योगिक सुरक्षा बल बनाया गया।

महोदय, आज यह सुरक्षा बल करीब 189 PSUs, 49 गवर्नमेंट बिल्डिंग्स, 57 एयरपोर्ट्स और 33 other units like Delhi Metro, Monuments, Raj Ghat और अन्य समाधियों की भी रक्षा करता है।

हमने पाया कि 1968 से चलता हुआ यह बिल पहले सिर्फ पी.एस.यूज. के लिए था। आज जो यह आगे बढ़ा है, उसका मूल कारण यह था कि जब हमने डिसइन्वेस्टमेंट की पॉलिसी ली, हमारे प्राइवेट सेक्टर बिकने लगे, जैसे पहले बाल्को में सी.आई.एस.एफ. हुआ करता था, हिन्दुस्तान कॉपर लिमिटेड में सी.आई.एस.एफ. हुआ करता था, परंतु जब ये यूनिट बिकने लगे और प्राइवेट हो गए तो वहां से सी.आई.एस.एफ. विदड्रा कर लिया गया और फिर इन्हें एयरपोर्ट की सुरक्षा, गवर्नमेंट बिल्डिंग की सुरक्षा, समाधियों की सुरक्षा पर लगाया गया। 26/11 की घटना के बाद बहुत सारी संस्थाओं ने, प्राइवेट संस्थाओं ने मांग की कि हमें भी सुरक्षा प्रदान करनी चाहिए। इसी का कारण है कि बिल को लाते हुए हमने अपने उद्देश्यों और कारणों में लिखा कि आतंकवादी समूहों की लगातार धमकी के कारण प्राइवेट सेक्टर और संयुक्त उद्यम के उद्योगों को भी, जिन्होंने अर्थव्यवस्था के विकास में योगदान दिया है, केंद्रीय औद्योगिक सुरक्षा बल द्वारा सुरक्षा की आवश्यकता है। अतः लागत की प्रतिपूर्ति के आधार पर प्राइवेट सेक्टर के उपक्रमों और संयुक्त उद्यमों की सुरक्षा के लिए केंद्रीय औद्यागिक बल को तैनात करने में समर्थ बनाने हेतु केंद्रीय औद्योगिक सुरक्षा बल अधिनियम 1968 की सुसंगत धाराओं का संशोधन करने का प्रस्ताव है। महोदय, अगर हम देखें तो पिछले ग्यारह, बारह वर्षों में प्राइवेट सिक्योरिटी का एक नया जमाना शुरू हुआ। पहले प्राइवेट इंडस्ट्री में वॉच एण्ड वार्ड डिपार्टमेंट हुआ करता था। 1968 के पहले सरकारी उपक्रमों में भी वाच एंड वार्ड डिपार्टमेंट रहते थे। हम आज भी पाते हैं कि हमारे यहां पार्लियामेंट के अंदर भी वाच एंड वार्ड डिपार्टमेंट है। यह पुरानी परंपरा है, शायद ब्रिटिश साम्राज्यवाद की धरोहर के रूप में हमने अपनाई हुई है और यह आगे बढ़ रही है। पिछले दस, बारह वर्षों में हमने देखा कि प्राइवेट सिक्योरिटी कंपनियां आईं, जिसके लिए हमने एक बिल भी बनाया। प्राइवेट सिक्योरिटी एजेंसी एक्ट बना, जिसके तत्वाधान में प्राइवेट सिक्योरिटी बनती है। हमारे यहां जो डिफेंस मिनिस्ट्री है, डिफेंस मिनिस्ट्री के अंडर में एक आर्मी एक्स सर्विसमैन रीहैब्लीटेशन ऑर्गेनाइजेशन नाम से एक डिपार्टमेंट है, जिसको एडिशनल जनरल हेड करते हैं। वे देखते हैं कि एक्स सर्विसमैन को आफ्टर दि रिटायरमेंट कहां डिप्यूट किया जाए, कहां डिप्लॉय किया जाए। उसके पीछे सिर्फ यही कारण नहीं होता कि यदि वह कम उम्र में रिटायर हो गया है तो उसकी उपयोगिता कहां की जाए, पर उसके साथ-साथ आर्मी में रहते हुए उसे जो ट्रेनिंग मिली है, उसे एजुकेट किया गया है, जिस शक्ति का अर्जन हुआ और जिस विद्या और नॉलेज का अर्जन हुआ है, उसका सदुपयोग किया जा सके, इसलिए उसको डिप्यूट किया जाता है। हर स्टेट में एक एक्स आर्मीमेन सेल खुलता है, जो देखता है कि प्राइवेट सेक्टर, पब्लिक सेक्टर, ज्वाइंट वेंचर कंपनीज में इनका डिप्लाएमेंट हो सके। परंतु यह देखने में आया कि इसे कभी रिव्यू नहीं किया गया कि यह वाकई ठीक तरह से काम कर रहा है कि नहीं कर रहा है। अंततः हमने यह देखा कि या तो वे गैस की एजेंसी या पेट्रोल पंप की एजेंसी के चक्कर में पड़ गए। अगर वहां से नहीं हुआ तो उन एक्स सर्विसमैन लोगों ने कहीं पर बस चलाई, कहीं मिनी बस सर्विस चलाई, कहीं कॉपरेटिव सोसायटीज चलाईं, कहीं और तरह-तरह के काम करते रहे। उन्होंने जो ऊर्जा एज एक आर्मी मैन अर्जित की थी, हम उसका सदुपयोग नहीं कर सके, क्योंकि इसका रिव्यू कभी नहीं किया गया। यही कारण है कि अंततः कुछ लोगों ने प्राइवेट सिक्योरिटी कंपनीज खोल लीं। उस प्राइवेट कंपनी के आधार पर वे किसी के घर की पहरेदारी करने लगे, किसी के बंगले, किसी के फार्म हाऊस और अंततः प्राइवेट कंपनियों की चौकीदारी करने लगे।

महोदय, आपको सुन कर आश्चर्य होगा कि इनकी संख्या कम नहीं है। इसमें Ex-Armymen and Ex-Policemen involved हैं और देश में इनकी संख्या एक आँकड़े के हिसाब से करीब 70 लाख है। यह संख्या छोटी नहीं है। हम तो 1,45,000 सीआईएसएफ जवानों की बात करते हैं, किन्तु प्राइवेट सिक्योरिटी एजेंसीज में आज की तारीख में करीब 70 लाख लोग कार्यरत हैं। उसमें करीब 90 फीसदी लोग या तो Ex-Armymen हैं या

Ex-Policemen हैं। वे well trained हैं, उनका सदुपयोग हो सकता था। पर आप एक बिल लाए हैं और उस बिल के माध्यम से प्राइवेट कम्पनियों को सिक्योरिटी देना चाहते हैं। प्राइवेट कम्पनियों ने घबरा कर जब यह नोटिस दिया, तो हमने अखबार में पढ़ा कि ये लोग इस तरह की मांग कर रहे हैं। इसके पीछे एक मंशा है। अभी-अभी मंत्री महोदय ने कहा कि CISF will be deployed to save and protect the establishment. Yes, we are very much aware of that. If they are working in a PSU, they are protecting the establishment of a public property. But when they work in a private company, they will be protecting the private property and if any labour agitation takes place, then, what will happen? Will the CISF intervene or will they depend upon the local Police? What is going to happen and how are you going to deal with it? The point is, अब हमने इसको जाना कि कौन-कौन सी कम्पनियाँ हैं, जो इसे मांग रही हैं। क्या आपने कोई ऐसा सर्वे किया, कोई आकलन किया, जिसके माध्यम से आपको पता लगा हो कि फलाँ-फलाँ कम्पनियाँ इसे मांग रही हैं और उनको देने की जरूरत है? क्या आपने उस पर कोई पेपर तैयार किया? इस बिल को लाने के पहले इन लोगों के साथ कोई मीटिंग की, जो इसे मांग रहे हैं? उन्हें सिक्योरिटी provide करने का आधार क्या होगा? वह आकार कितना बड़ा होना चाहिए? Threat perception है या नहीं है? क्योंकि यह देखा गया है, गृह मंत्री चाहे कोई भी रहे हों, गृह मंत्रालय बार-बार इसका आकलन करता है कि threat perception पर किसी को सिक्योरिटी दी जाए। मैं कभी-कभी सोचता हूँ और देखता हूँ, जिनके आगे-पीछे ब्लैक कैट दौड़ रहे होते हैं। हमें गर्व है कि अभी तक चिदम्बरम साहब ने बुलेट प्रूफ गाड़ी नहीं ली, हमें गर्व है कि उन्होंने ब्लैक कैट सिक्योरिटी नहीं ली और उन्होंने कहा कि मैं पूरे भारत को सुरक्षित करूँगा, तब अपने आपको सुरक्षित करूँगा, पर चिदम्बरम साहब, आपका threat perception बहुत ज्यादा high है, आपको सिक्योरिटी लेनी चाहिए। परन्तु मुझे कभी-कभी बहुत आश्चर्य होता है जब मैं उन लोगों को देखता हूँ, for whom even bullets are costly, they are getting protection from the Black Cat. जिसके लिए गोली की कीमत भी महंगी है, उसको भी वे protection देते हैं। हमें बड़ा आश्चर्य लगता है। आज तक जिनके लिए थाने से या कचहरियों से as a proclaimed offender वारंट निकले हुए हैं, अखबारों में फोटो छपी हुई है, जो सरकार से या विभिन्न जाँच एजेंसियों से मांगे जा रहे हैं कि उनको गिरफ्तार करके कोर्ट में पेश किया जाए, उनको भी सुरक्षा प्रदान है। इसलिए कभी-कभी आश्चर्य लगता है। आखिर इसका आधार क्या है? मैंने बहुत तलाश करके इसे निकाला कि इसमें आखिर कौन-कौन लोग हैं, जिनको सुरक्षा देने जा रहे हैं। इसमें इंफोसिस, बंगलुरू ने मांग की है। इंफोसिस एक बड़ी कम्पनी है, इसमें बहुत लोग काम करते हैं। यह हमारे देश की एक flagship company है और सारी दुनिया में IT industry में हमारे देश की एक ambassador के रूप में जानी जाती है। इसके बाद नेशनल स्टॉक एक्सचेंज ने मांगी है। मैं समझता हूँ कि नेशनल स्टॉक एक्सचेंज को आपकी सीआईएसएफ से ज्यादा अगर उसे सिक्योरिटी चाहिए, तो उसके सॉफ्टवेयर की सिक्योरिटी चाहिए। कल को अगर साफ्टवेयर में बग लगा कर उड़ा दिया गया, पूरा सॉफ्टवेयर बैठ गया और हमारे एकाउंट से या आपके एकाउंट से किसी को शेयर बिकने लगे और किसी के खरीदे जाने लगे और किसी के पैसे से निकलने लगे, क्योंकि वहाँ पर सब कुछ है, तो क्या होगा! उसे उस सिक्योरिटी की जरूरत है। पता नहीं हमारे सीआईएसएफ के जवान उसमें कितने परिपक्व हैं कि वे उसको बचा सकेंगे। इसमें बहुत सारी आईटी कम्पनियाँ हैं। फिर बायोकैम ने इसे मांगा है, फिर बंगलुरू में इलेक्ट्रॉनिक सिटी, फिर अम्बुजा सीमेंट, बंगलुरू में आईटी पार्क, जिंदल स्टील एंड पॉवर। जिंदल स्टील ने शायद छत्तीसगढ़ में मांगा होगा, जहाँ पर उसे माओवादियों से खतरा है या उड़ीसा में मांगा होगा। पता नहीं उनको रोहतक में इसकी जरूरत है या नहीं, पर झारखण्ड में भी मांगा होगा।

टाटा स्टील, रिलायंस एनर्जी, रिलायंस पेट्रोलियम, जेपी ग्रुप for several other projects.

महोदय, हम इन चीज़ों पर ध्यान दें कि आखिर इन चीज़ों का फैसला आप कैसे करेंगे? आप वित्त मंत्री भी रह चुके हैं। बहुत-सी कंपनियां बहुत सारे घोटालों में भी इन्वॉल्व्ड है, बहुत सारी अन्य कंपनियां भी इसके लिए एप्लाई करेंगी और कहेंगी कि हमें भी सुरक्षा प्रदान की जाए। सुरक्षा प्रदान की जाएगी तो कल को कोई भी Enforcement Directorate का आदमी आता है अथवा दूसरा कोई आदमी आता है तो उसको अन्दर आना है या वर्जित है, यह उसी पर निर्भर करेगा। हमें यह सारी चीज़ें सोचने की जरूरत है।

सबसे बड़ी चीज़, जो इस समय मेरे ज़हन में आ रही है, आप उसका निराकरण कैसे करेंगे कि एक तरफ उड़ीसा या आन्ध्र प्रदेश के एक इंटीरियर इलाके की आयल-ओर की माइन्स या बंगाल और झारखंड के किसी इंटीरियर के कोल माइन्स में पहरा देता हुआ जवान और दूसरी ओर दिल्ली, मुम्बई, कलकत्ता और मद्रास के एअरपोर्ट्स पर पहरा देता हुआ जवान। उनमें जब आप यह निर्धारित करेंगे कि आपको जाम नगर की रिलायंस पेट्रोलियम में जाना है, या बैंग्लोर के इन्फोसिस में जाना है, तो वहां पर लोगों में यह कहने के लिए कॉम्पिटीशन बढ़ जाएगा कि साहब, अगर मेरी पोस्टिंग बैंग्लोर में हो जाती तो मेरा बच्चा एमबीए बन जाएगा। अच्छा है, ऐसा सोचना भी चाहिए, हरेक जवान के मन में यह इच्छा जाग सकती है और मन में यह प्रतिस्पर्द्धा रहनी भी चाहिए, लेकिन सबको तो आप वहां एकोमोडेट नहीं कर सकते। आप कहेंगे कि मैं रोटेशन से दूंगा, तो आपके पास 1 लाख 45 हजार जवान हैं, आपकी फोर्स का टोटल स्ट्रेंथ 1 लाख 45 हजार है, उनका स्पैन ऑफ सर्विस 30 या 35 साल है, तो उसमें आप कितने रोटेशन घुमाएंगे और वे रोटेशन कितने साल के होंगे, कैसे घुमाएंगे? क्या आप इसके लिए अलग से कुछ तैयारी करेंगे, जैसे उनको ट्रेनिंग देंगे और उस ट्रेनिंग के अन्दर कोई इंटर्नल इग्ज़ाम रखेंगे अथवा फिर उसके लिए आप क्या क्राइटीरिया रखेंगे और उसका क्या कारण होगा? यह हार्ट बर्निंग का एक कारण बन जाएगा। क्या इस बिल को लाने से पहले आपने इसके बारे में कुछ सोचा है या आपने इसके लिए ऐसा कोई प्रावधान सोचा हो कि हम एक सैपरेट फोर्स खड़ी कर लेंगे, जिसको हम सिर्फ प्राइवेट इंडस्ट्री के लिए यूज़ करेंगे। जैसे बहुत सारी जगह के लिए हमने सोचा कि यह काम सिर्फ ब्ल्यू कॉलर है और यह ब्ल्यू कॉलर का काम ही करेगा या यह व्हाइट कॉलर है, यह व्हाइट कॉलर का काम ही करेगा। अर्थात् हम लोग डिसाइड कर लें कि ये लोग सिर्फ पीएसयू को देखेंगे और ये लोग सिर्फ प्राइवेट इंडस्ट्री को देखेंगे। अगर ऐसा सोच कर हमने इसे तैयार किया होता और फिर उनमें जो एक्स-सर्विसमैन और एक्स-पुलिसमैन हैं, जो इतनी अधिक मात्रा में हमारे देश में उपलब्ध हैं और जो प्राइवेट कंपनियों में काम कर रहे हैं, उनकी ऊर्जा और उनके एक्सपीरिएंस को यूटिलाइज़ करके हम एक नई फोर्स खड़ी करते और अगर उनको समर्थन देते तो बेहतर होता।

महोदय, आज की तारीख़ में हम अगर देखें तो हमारे सीआईएसएफ के जवान, जिनकी शुरूआत fire-fighting के लिए हुई थी, उसके बाद हुआ यह कि उनमें से कोई किसी पब्लिक सेक्टर यूनिट में लेबर के रूप काम करता है कि कहीं कोई टूल या कोई फिनिश प्रोडक्ट चोरी करके बाहर तो नहीं ले जा रहा है या बाहर से कोई विस्फोटक या ऐसी चीज़ तो नहीं ला रहा, जिसे वहां डाल कर कोई sabotage कर दे और आज वे लोग एअरपोर्ट्स पर खड़े हो कर, हमारे जो टैक्स पेयर्स हैं, जो एअर पैसेंजर्स हैं, उन्हीं को डील करते हैं। इनीशियली इसमें काफी असुविधाएं आई थीं, इन लोगों की काफी कंप्लेंट्स आई थीं, बहुत सारे ग्रिवेंसिज़ उठे थे, बहुत सारी आवाजें उठी थीं, बहुत सारे राइट-अप भी लिखे गए थे, उसके कारण देखा गया कि आखिर अब उसमें थोड़ा संशोधन करके वहां पर कुछ पॉलिश्ड लोग आ गए और वे अपने तरीके से काम कर रहे हैं।

महोदय, आप वीआईपी सेक्योरिटी, स्टील, ऑयल, कोल माइन्स, पावर, स्पेस, एटॉमिक एनर्जी, एअरपोर्ट्स, सीपोर्ट्स, फाइनांस, कैमिकल्स एंड फर्टिलाइज़र्स, मॉन्यूमेंट्स, गवर्नमेंट बिल्डिंग्स, डिज़ास्टर मैनेजमेंट एंड मेट्रो, इन सारी चीज़ों की सुरक्षा में लगे हुए हैं। लेकिन उसके साथ-साथ आप जब यहां जाएंगे, उसके लिए आप कितने परिपक्व हैं? अगर मेन गेट पर कंप्यूटर लगा हुआ है, क्योंकि जिन कंपनियों में आप भेज रहे हैं, उनके गेट भी कंप्यूटराइज्ड हैं, वहां कंप्यूटर लगा हुआ है और कंप्यूटर के माध्यम ही वह गेट

खुलता है और खुलता भी कैसे है, जैसे हमारे यहां पार्लियामेंट में हमारे आइडेंटिटि कार्ड पर जो आरएफ कार्ड लगा हुआ है, उसको कंप्यूटर रीड करता है, उसके बाद गेट खुलता है, नहीं तो मैन्यूअली खोलना पड़ता है ...।

परन्तु वहाँ सारी फैक्ट्रीज़ में या सारे बिजिनेस हाउसेज़ में, जैसे इनफोसिस की बिल्डिंग में है कि हरेक एंट्री प्वायंट पर आपका एक पासवर्ड चाहिए तभी आप अंदर जा सकते हैं। नेशनल स्टॉक एक्सचेंज में जो सबसे मेन रूम है, वहाँ तक जाने के लिए सिर्फ दो जन ही अलाउड हैं। गड़बड़ी वहाँ हो रही है। वहाँ आपके सी0आई0एस0एफ0 का जवान कैसे पहुँच सकता है? उसके लिए जो टेक्नोलॉजी है, उसकी नॉलिज उसको होनी चाहिए। क्या आप उसकी शिक्षा या उसकी ट्रेनिंग उसे देने जा रहे हैं और अगर आप देंगे तो वह कितने दिनों में देंगे? आज आपके जवान पेट्रोलियम इंडस्ट्री में बरौनी ऑयल रिफायनरी में, मथुरा ऑयल रिफायनरी में, गोवाहाटी ऑयल रिफायनरी में पहरा दे रहे हैं। वे नूनमाटी में और बंगईगांव रिफायनरी में भी पहरा दे रहे हैं। वे स्टील प्लांट्स में भी पहरा दे रहे हैं। किन्तु, जब आप जामनगर के रिलायंस की ऑयल रिफायनरी की और हमारे पी0एस0यू0 की ऑयल रिफायनरी की तुलना करेंगे तो पाएँगे कि उसमें जमीन-आसमान का फर्क है। उनके इंट्री प्वायंट और एग्जिट प्वायंट अलग हैं। उनका कम्प्यूटराइज्ड सिस्टम है। उस सिस्टम को डील करने के लिए, कल को जब एस्टैब्लिशमेंट की रक्षा करने जा रहे हैं तो आपको हर चीज़ का पता होना चाहिए कि कब कौन आदमी क्या सबोडाइज करने जा रहा है और उसको कैसे रोकना है। अगर आप यह नहीं करेंगे तो आपने जो सेवाएँ दी हैं, वे आप पूरी तरह से नहीं कर सकेंगे और कल को आप बदनामी के भागी होंगे।

महोदय, सबसे बड़ा सवाल यह उठता है कि आज तो आप पब्लिक सेक्टर को या एयरपोर्ट को जो सेवाएँ देते हैं, उनके लिए आप गवर्नमेंट के हिसाब से चार्ज करते हैं, किन्तु प्राइवेट इंडस्ट्री को आप किस हिसाब से चार्ज करेंगे? क्या उसका कोई रेट फिक्स किया है? At cost करेंगे या उनके लिए कोई नया रेट होगा और उसके लिए कोई कमेटी बनी या कोई रिकमेंडेशन आया जिसमें यह हो कि यह रेट लगेगा प्राइवेट के लिए और यह रेट लगेगा पब्लिक इंटरप्राइजेज के लिए।

महोदय, हमने देखा है कि हमारे जवान बहुत स्ट्रेस में रहते हैं। मैंने पढ़ा था कि मुम्बई एयरपोर्ट पर एक जवान ने अपने असिस्टेंट कमांडेंट को गोली मार दी। जब उसकी इन्क्वायरी की रिपोर्ट आई कि उसने गोली क्यों मारी, तो पता चला कि वह छुट्टी मांग रहा था। वह तंग था और उसे छुट्टी नहीं मिल रही थी। वह परेशान था क्योंकि उसे घर जाना बहुत जरूरी था। उसने गोली मार दी ...(व्यवधान)... हाँ, राऊरकेला स्टील प्लांट में भी यही हुआ था। जो लोग ऐसे स्ट्रेस में रह रहे हैं, उनका क्या होगा? आप जो काम करने जा रहे हैं, इससे उसका स्ट्रेस और बढ़ेगा। इससे उसका स्ट्रेस और बढ़ेगा कि मैं एक जवान के तौर पर अपने साथियों के साथ नक्सल-प्रभावित क्षेत्र में एक कोयला खदान की रक्षा कर रहा हूँ तथा अगले दिन मैं देखता हूँ कि हमारे साथ काम करने वाला जो एक सिपाही है या जो इंन्स्पेक्टर है उसका ट्रांसफर अचानक बेंगलुरु हो गया। सर, यह जो मोबाइल फोन है यह बहुत बड़ा खतरनाक है। यह खतरनाक ऐसे हो गया है कि हरेक आदमी के पास मोबाइल फोन है। पहले तो घर से चिट्ठी आती थी। उस चिट्ठी से पता लगता था कि वहाँ क्या हुआ। पिता जी की चिट्ठी आई, माता जी की चिट्ठी आई या बच्चों की, बीवी की अथवा भाइयों की चिट्ठी आई, तो उससे बाद में पता लगता था, लेकिन अब यहाँ तो मोबाइल फोन है। पिता जी की चिट्ठी आई और साथ-साथ मोबाइल फोन पर मैसेज़ भी आ गया। मैसेज आ गया, उसमें पत्नी ने बताया कि आपका जो साथी है, उसका तो ट्रांसफर हो गया है और उसकी पत्नी बेंगलुरु जा रही है। आप वहीं पर खाइए, बैठिए, घास काटते रहिए। इससे उसका स्ट्रेस और बढ़ जाता है। जब वह अफसर के पास जाकर उससे कहता है कि आप मुझे भी ट्रांसफर कीजिए। मेरे में क्या कमी है? आपने ट्रांस्फर करने के पहले कोई एग्जाम लिया हो या कोई फिजीकल टेस्ट लिया हो, या

आपने कुछ सर्कुलेट किया हो कि यहाँ-यहाँ इतने लोगों की जरूरत है और वहाँ भेजना है, तो वह सर्कुलर मुझे नहीं मिला, मुझसे पूछा नहीं गया, मैंने उसे भरा नहीं, आपने उसको कैसे भेज दिया? यह एक तर्क-वितर्क का कारण बन जाता है। महोदय, क्या इसके बारे में सोचा गया है? कोई थोड़ा सोचा गया कि हम इसको कैसे डील करेंगे? महोदय, क्या सी0आई0एस0एफ0 एक प्लेसमेंट सर्विस का काम करना शुरू कर देगी कि जब भी कोई भी मांगे कि इतने लोग हमारे यहाँ भेज दो और हम भेज देंगे? महोदय, यहां Placement Services बहुत चल रही हैं। आप वेब साइट पर चले जाइए और टाइप कीजिए Security Placement Services और देख लीजिए। आप वित्त मंत्री भी रह चुके हैं, आपको पता होगा कि जो आर0बी0आई के करेंसी नोट्स हैं, वे आर0बी0आई0 के चेस्ट् से स्टेट बैंक ऑफ इंडिया या दूसरे बैंकों के चेस्ट् में जाते हैं। आपने पाया कि डोमरियागंज में स्टेट बैंक ऑफ इंडिया के चेस्ट में जाली नोट्स पाए गए और आप लोगों ने सीधा इसका जवाब यही दिया कि साहब जो सर्विसेस लगी हैं, उनमें से कहीं यह खामी हुई है। अब हो यह रहा था कि जो असली नोट्स हैं वे बैंक के चेस्ट से बाहर जा रहे थे और नकली नोट्स अंदर जा रहे थे। आपने क्या कहा ? प्राइवेट एजेंसियां आ गयीं, इसीलिए यह हुआ। तो क्या हम प्लेसटमेंट सर्विस के रूप में इन संस्थाओं में काम करने जा रहे हैं और कल को अगर कोई गलत काम होता है, जैसेकि एक बार जब न्यूक्लिअर के कुछ weapon की बात आयी, न्यूक्लिअर में जो सेंट्रीफ्यूज लगते हैं, उन्हें मिडल ईस्ट के किसी कंट्री को supply देने की बात आयी, तो हमारे यहां एक उत्तर प्रदेश की कंपनी, एक गुजरात की कंपनी और एक मुंबई की कंपनी का नाम आया कि उन लोगों ने सेंट्रीफ्यूज सप्लायी किए हैं। अब वे प्राइवेट कंपनियां हैं और उन प्राइवेट कंपनियों में सी0आई0एस0एफ0 के जवान लगे होंगे और वे सेंट्रीफ्यूज बनाकर किसी सप्लायर को, जिसको नहीं जाना चाहिए, अगर वह सामान वहां जा रहा होगा, उसके लिए हम क्या जानकारी कर सकेंगे? कौन इसकी जानकारी करेगा? और यह सिर्फ वही नहीं है, कल को कोई गलत काम कर रहा है, इंडस्ट्री में गलत चीज तैयार कर रहा है, गलत कैमीकल बना रहा है जोकि विस्फोटक के रूप में यूज हो रहा है, उस इंडस्ट्री को भी रोकने के लिए क्योंकि हमने कोई आधार नहीं बनाया, हम तो सीधा कह रहे हैं कि हमें threat perception है। हम threat perception creat कर लेंगे, 10 चिट्ठियां लिखा लेंगे। मैं तो देख रहा हूं कि आम लोगों का तरीका है कि 10 जगहों से चिट्ठियां लिखवा लो, कोई उर्दू का पैड छपवा लो, कोई पंजाबी का पैड छपवा लो, कोई खालिस्तानी कमांडो फोर्स का, तालिबान का और वहां से चिट्ठियां लिखवा लो और फिर गृह मंत्री जी के पास पहुंच जाओ और ले लो। तो threat perception का यही concept इंडस्ट्री में भी लगा और हम अपनी सी0आई0एस0एफ0 के जवानों को वहां लगाने लगे तब क्या होगा?

मैं आपके बिल को रोकना नहीं चाहता क्योंकि मैं एक ऐसा सदस्य हूं जिसने बाकायदा यह चिट्ठी लिखी थी कि यह बिल लिया जाए क्योंकि मैंने अखबार में पढ़ा था। परंतु मैं कह रहा हूं कि उसमें जो प्रावधान हैं, उनको सामने रखा कि नहीं रखा? ये precautions हैं कि नहीं, यह firewall बनायी है कि नहीं बनायी है? महोदय, एक बड़ा सीधा सा सवाल आएगा और मेरे ख्याल से एक amendment भी मूव किया गया है कि अगर लेबर का प्रॉब्लम है तो उस समय सी0आई0एस0एफ0 का क्या व्यवहार होगा? यहां तो दुर्गापुर स्टील प्लांट की प्रॉपर्टी टूट रही थी, इसलिए उसको मारना जरूरी था, लेबर को पीटना जरूरी था, उसको रोकना जरूरी था, किंतु यहां रिलायंस पेट्रोलियम की प्रॉपर्टी लूटी जा रही है, उसके लिए क्या? हम terrorists को रोकने के लिए हैं या small time anarchists या जो agitators हैं या जो वहां के employees गुस्से में हैं, नाराज हैं, उनको रोकने के लिए है, वहां पर पुलिस का रोल और आपका रोल क्या होगा? महोदय, सबसे बड़ी बात यह है कि गृह मंत्रालय से जो intelligence information आती है, क्या आप उसे सी0आई0एस0एफ0 के डी0जी0 के साथ शेयर करते हैं। यह जो 200 से ज्यादा installation में आपका ऑर्गनाइजेशन चल रहा है, क्या RAW और IB जो information collect करती है, अगर उसमें उसने पाया कि ...

श्री उपसभापति : एक मिनट बाकी है क्या आप conclude करेंगे?

श्री एस0एस0 अहलुवालिया : मैं लंच के बाद बोलूंगा।

श्री उपसभापति : ठीक है। The House is adjourned for lunch till 2.00 p.m.

The House then adjourned for lunch at fifty-nine minutes past twelve of the clock.

The House re-assembled after lunch at two of the clock,
MR. DEPUTY CHAIRMAN in the Chair.

MR. DEPUTY CHAIRMAN: Shri S. S. Ahluwalia will continue his speech.

SHRI S. S. AHLUWALIA: Sir, before we adjourned for lunch I was speaking on CISF Bill. Sir, I was making a point that CISF should not be used as a watch and ward. If you make a two-tier system in security, wherever you are providing security, you train their watch and ward people, you train their security people as per the requirements of CISF and make a strategic unit, provide them only a strategic team which can be used as a combating force with any terrorist attack or which will be dealing with the terrorist attacks only and they should be deputed on the strategic points. Otherwise, what will happen is, once you give the duty of CISF to the watch and ward there will be lot of hassles or a lot of problems. Let the other problems be dealt with by the private companies themselves and their people should be trained by CISF and for that you must charge them, you must take money from them and you give a well trained combating unit so that they can protect the establishment from any terrorist attack. Sir, for that, women and men, both should be trained because in a company like Infosys you will find that there are plenty of women IT engineers who are working and when you are facing this, the terrorist may, the *Fidayeen* may come in the shape of a lady suicide bomber or suicide attack team. To deal with them women also are needed. I believe that there are enough women in the CISF so that they can get training. Sir, for training and for their skilled development you must have sophisticated weapons also. I do not know, today we are having maximum SLRs or automatic rifles or we are having in some places AK-47 or so. The terrorists are using the latest technology and the latest weapons. To combat with them we should have that weapon also. When we are deputing these people to combat terrorists, they must be provided with that type of weapons so that they can combat efficiently. Sir, modern communication is required. We have seen that we do not have the modern communication facilities. We have learnt from 26/11. They were using Blackberries. They were using satellite phones. They were using a plenty of other things. Recently, a new virus has attacked the software and has paralysed the whole communication system in Tajikistan. We should learn from all these things and virus-proof, foolproof firewall software should be made available for communications system in the CISF.

For fast movement, Sir, they should have good vehicles. Sometimes, we found that they are still moving in old jeeps. If engine is there, petrol is not there. If petrol and engine are there, starter will not work or battery will not work. And, we have seen in 26/11; it took 9-11 hours for the Black Cats to reach Mumbai from Delhi, because a dedicated plane or helicopter was not available. In my opinion, they should have, at their centre, or, for sending reinforcement forces to help the combating units, fast moving helicopters or dedicated plane ...*(Interruptions)*...I believe, the hon. Defence Minister and the hon. Home Minister are consulting each other to provide them helicopters and planes.

Then, Sir, I come to my next point. Sir, it is not the machine alone, but the man behind the machine also very important. If the man behind machine is frustrated, if the man is demoralised or distressed or depressed, the machine cannot work efficiently. That is the problem. So, the point drives to the avenues available for these officers or soldiers who are working in CISF. Sir, we have seen that the Standing Committee on Home Affair's in its 54th, 59th, 83rd and 117th Reports repeatedly, right from Shri Pranab Mukherjee who is now the hon. Finance Minister and External Affairs Minister, given a lot of recommendations for the better opportunities of the officers. Now, there are about 180 Group "A" Officers in the CISF. They were selected through the Civil Service Examination. But, they are deprived of their rights. We have been raising this issue repeatedly, but we are not getting a positive reply. That is the reason why I am saying that it is not only machine which works but the man behind machine who works. If they are demoralised or distress or depressed, they cannot work. So, give them justice and address their grievances appropriately, then, I think, you will get efficient output from them.

Finally, before conclusion, I would like to raise one more point. I know that tomorrow the people will raise, once you open these services to the private industry, as you are providing security to individuals also, Article 21 if you deny somebody. If I own a company and I ask for security and you deny security, then Article 21 comes in. You say, 'No, no. You are not entitled for this. You are not under threat perception.' But, I say, 'Yes, I am. I am in trouble and I want security.' Then what is going to happen. You are not only a financial expert, you were incharge of internal security earlier, you are a legal luminary, you are a Barrister and you know the law. When Article 21 is invoked, what is going to happen? How are you going to deny? So, make a foolproof case to give or deny these services to the private entities.

With these words, I support the Bill. Thank you.

DR. K. KESHAVA RAO (Andhra Pradesh): Sir, at the outset, I rise to support the Bill. At the same time, I share most of the sentiments expressed by my learned friend from the other side. Few I differ, What all he has said was right, but anyway, it was his perception of things. This is article 21, that he was talking about. It is not that I am trying to join the issue with the legal luminary, the Home Minister, here today. But the question arises whether the Bill provides for

it or not. If anybody thinks that being an industrial unit, he is entitled for the same protection that the others are getting, notwithstanding the fact that you have in your own books or the orders of the operational codes have said that only such and such people come under the audit and will be provided security and not others; This will be challenged. This is what hon. Ahluwaliaji wanted to say. But let me tell you that it does not mean that we not have savings of clauses which we have. Added to this are also the cooperatives. There are giant cooperatives, today, in this country. The moment you make it clear that security is only for a public sector undertaking or the joint venture, then where will the cooperative sector go? This is another issue that comes in.

The other thing is that there seems to be some confusion between watch and ward operations and the duties of combating forces. It was in the year 1968 that we thought of some kind of industrial security for the industrial units. Later, it was in 1983 that we tried to give them a bigger role. And, in 1999, we again said that there would be paramilitary forces. Now, this Bill had come last time in this very House, which we could not take up for want of time, and then we had to come with an Ordinance. It has, now, again come before us. We are trying to take a comprehensive and holistic view of the entire security needs of industries. The security needs arise not only because of the latest happenings in Mumbai or somewhere else, but there is a growing demand from the ever-expanding industrial base that contributes to the economy of this country. We have scarcely thought that only the public sector units or the Government units do contribute to the economy and need security. So, they are right when the private sector units have raised a demand that they must have some kind of a specialised security force, not only a specialised, but someone with a reckoning, with a label, with an official influence, in the sense that they are better equipped; they are better recognised; they are provided better training; and so on and so forth. So, there is that kind of a demand from those people. And, it is very right that the Government of the day has responded very rightly to these aspirations and to these demands and has come forward with this Bill. Mr. Ahluwaliaji had read out the statement of objectives. I would also not say that the purpose of the Bill is very clear. It is nothing new at all, except adding strength to the already existing provisions. What all you want to say is that we need a better administrative set up for CISF. Then, you would like the other joint ventures and private units to have cover. Although my doubt about the cooperatives still remain. So, the question, today, is we have this organization which is, perhaps, one of the largest in the world with 1,05,000 personnel of the Government looking after the security needs of industries. And, now, according to the Minister, it would go up to 1, 45,000. Certainly, it has a big role to play than what we are envisaging. But, today, it is something that you have to bite; off more than what you can chew. What ever it is, it is because you are trying to commit to the entire large industrial field, with limited force.

You said that you would give protection to atomic installations, airports, technological units, and all that comes under the sky. Thus, do we have the kind of training facilities that

are demanded by these specialised multiple units? I would like to cite a simple example of Information Technology because Shri S.S. Ahluwaliaji referred to it. I am referring to the cyber crimes. I am speaking from the angle of international threat that is coming through cyber crimes and the virus that is inbuilt in to it. Now, will the CISF, as it stands today, and as is presented in the Bill be able to look into it and be able to prevent it? My suggestion, therefore, to the hon. Minister is that you should have separate IT unit within the CISF and some specialised branches within the CISF which can respond to the needs of different industries in different situations.

Sir, the other basic question that arises is this. I am fully in agreement with the intention of the Bill. Yet, I am trying to raise a few of the apprehensions and doubts that have come in the minds of various people. Sir, I belong to Andhra Pradesh, and, I am protagonist of the rights of the State. Today the States have a right to think that their space is being encroached upon by the new agency. Policing is a State subject. Recently, we passed an Act called the Private Securities Agencies (Regulation) Act. In the Private Securities Agencies Act, it is provided that all that the State could do or a private agency could do is to recruit people from local areas. There is recognition to the concept of the 'sons of the soil'. There is the sociological aspect, which has been brought into this. These refer to the rights and aspirations of leads, that my friends and I desire, and we want to safeguard the rights of the people of my own land. These are the few things that I want to mention. I am not saying that the CISF is coming and eating into all those things. The moment a central agency comes in, one question arises as to what my State police would do. What exactly would be role that would be assigned to the State Police and the private agencies? The private agencies work in tandem with the State Police. They get their training from them, and there is a lot of coordination between the State Police and all these private agencies. This is how diluted.

I would now come to the issue of job promotions at the top level. And, in the matter of recruitment, there is a lot of frustration at the lower level. Here I would like to add to what Mr. Ahluwaliaji mentioned. Not only is the man, who is recruited as D.G., who wants to get promotions, but, the man, who is an ordinary constable, — I don't know what the last man at the lowest rung in the CISF is called, — and who is away from his house and his birthplace, and who is serving somewhere else, is, certainly, frustrated. The CISF is not new to these kinds of instances of frustration, where there are killings taking place within the unit, where the frustrated officers are protesting, and where the Chief Minister of the State, Tamil Nadu, refuses to have this CISF; he wants to have his own Force in the State. All these things are to be taken note of.

So, the point is, while recruiting people, we have to look into the aspirations of the local people, who are trying to get into job the Security Forces. But, at the same time, Sir, a small

I man wants to serve his own land. Secondly, upward movement of personnel should be there. Thirdly, the facilities that you provide to them are, certainly, not to their satisfaction. So, there is a lot of frustration. These are the few sociological issues, which the Ministry needs to take note of.

The other point which I would like to mention is this. There is contradiction here, and we must be very clear about it. Are we trying to look at the preventive aspect or protective aspect? Surely, nobody can prevent a tragic, incident, in view of the latest technologies, latest tactics and strategies available with us. But can we have in this protective system, a preventive aspect, a training which can play the role of prevention rather than simply managing the damage. So, this is another aspect which the Ministry of Home Affairs or the Force as such, should take up.

Sir, as far as your suggestion is concerned, it is all right. Let us leave that to forces to develop them. Now, according to the Standing Committee's Report, we have three-tier system for providing security. It is left to the Ministry or to the authorities in the Force whether they would like to lend their forces to private units or not, when they ask for and you agree to give. In the three-tier priority system, first, it goes to the PSUs, as the hon. Minister, while introducing the Bill emphasised on that, that at no cost the interests of the PSUs will be negotiable, or, their first right would be negotiated. Then, comes the units in the naxalite-affected areas. Here, you must excuse me if I might differ with most of you on this issue. Can you give me at least half a dozen or a dozen names where the industrial units of big magnitude are there in the naxalite-affected areas? There are no industrial units in the naxalite-affected areas except at four places in the country. Are they really threatened? If they are threatened, there is a State force to help which is specialised in this job like Greyhounds here and there. Whether I agree or not, that is a different matter, but the point is they are there. Now, if the CISF generalizes its cover itself by using the name of naxalite, it creates confusion, Sir, I do not know as to what exactly we are trying to look into. In one State, you have faced terror. I am not saying that because of this terror threat, you thought of the CISF. It came much before the terror threat came. Nonetheless, today, there is an urgency for having the Force because there is a fear in our mind of the terror threat. But alongwith this terror threat there is interpolation of the word 'naxalism', to my mind, it brings confusion about the training aspect. ...*(Interruptions)*... . According to my friend, it would be inappropriate. Whether appropriate or not, let them look into the training aspects of it. First of all, how many industries do we have in the naxalite-affected areas? What kind of industries can you find, vulnerable in the naxalite-affected areas? But the naxalite affected area or inflicted areas have different threat than a mere threat to the industry. It has a social hinterland zone, the periphery or the hinterland that is targeted first, rather than the industry, as such.

The third priority is 'any other'. As for 'any other' what comes under this 'any other'. I have raised this issue because Mr. Ahluwalia used the word 'any other'. That means, any one who is seeking must get it. The discriminatory aspect is not in our hands.

Sir, another thing I want the Ministry to take note of is the class division we introduce. The moment the CISF or whichever force it might be, the Central Government Force, goes to private sector organisations, it is provided with better facilities. The private sector people like Shri Bajajji would, certainly, give better facilities than any PSU can give. He would give you an air-conditioned room, etc. These special facilities or treatment is made available to them ...*(Interruptions)*...

SHRI RAHUL BAJAJ (Maharashtra): It is class-consciousness.

DR. K. KESHAVA RAO: All right. There is class-consciousness. If Bajajji wants to consider himself as a class by himself, it is one thing. It is class consciousness. Secondly, this will be certainly used, in my view, Mr. Minister, to the vested interest of industry — unless you take care of it. A top level Central officer will be used to promote, to plead for, or, to take up the causes of the private sector with Govt., because he is a big officer somewhere. The relation that private sector develops or builds, in the meanwhile, will this officer in the process of his working with them, would certainly make him have the same feeling as that of the private industry, so much so that he will be templed to deal on behalf of the industry with the Government. This is also one of the aspects which must be seriously looked into. What I am saying may happen, unless you curtail him or bring some rules so that this CISF officer is not able to do it.

Now, I come to my third point. Sir, I would not like to take much of the time of the House. You mentioned about the costs. I do not know what exactly the cost is. I do not know what you are charging from the PSU or what the PSU will reimburse. But if it is a private sector, you are expecting it to reimburse its cost. If you are using the word 'reimburse', then it must go to pay back the cost. The moment the cost is involved, there is a need for a special training. Bajajji may perhaps want a separate kind of training in this regard because his industry could be exposed to a particular kind of threat, and, for that, one may require a particular training.

SHRI RAHUL BAJAJ: You can take some other names also.

DR. K. KESHAVA RAO: Sir, I know only one industrialist. I have seen only one industrialist in my 65 years, *i.e.*, you Bajajji, otherwise, I have no connection with the industrialists as such.

So, the question is, if an IT Park wants a CISF security and the CISF is to take up the security of this particular industry, then that Officer certainly needs a specialised kind of training than the other CISF officers who are posted elsewhere. Now, who is going to bear those training costs? Suppose that industry is bearing the cost. And, now if you want to transfer that particular man to some other place, why would this industry agree to that? Why would it allow its training costs to go waste? It is because, in that case, it has to bear the cost of training the other man also. This aspect also needs to be looked into because the security itself is a specialized

discipline today. All over the world, security technology has become the academic discipline and its contour's ever-changing and ever-expanding. So, this aspect also needs to be taken into consideration. Sir, I welcome all this. But there are one or two apprehensions. Now, when you say that the atomic sites or nuclear sites, etc., will also be covered by it, various persons concerned had raised few objections. For example, Bharat Karnad, the Professor of Security, had his own views as to how you can do it. Admiral Arun Prakash had his own views, which I am not going to repeat here because I do not want to throw a spanner in your mind by saying that something is going wrong. But the Standing Committee took the same view. In view of the fact that the Standing Committee is comprised of our own Members, I think I must plead for them, though I am not a Member of that Committee. I think that they had looked into the matter very carefully, and, therefore, I think, the Ministry needs to look into those aspects, which these experts, who are concerned with these areas, have said. What they are looking into is sophistication, etc. Then along with these aspects, Mr. Ahluwaliaji brought in some other aspects. He said, why can't we have two-tier system since Private Security Act has already been passed. There are private security personnel. Why don't you train them? I would have agreed with him to that extent had he stopped there. But you are saying, why don't you train them through the CISF? That means, have some kind of connection between the CISF and that private security agency, whether directly or indirectly. My first apprehension about that is the space of the State would be encroached upon or would be taken away if private security agencies are being influenced by the CISF.

That should not happen. In my opinion, that is not advisable.

Sir, there are many areas that I am sure the Ministry is looking into, as the ones Shri Ahluwalia pointed out, such as modernized communication system, sophisticated weapons, etc. He is right when he says that the man behind the machine is equally important. You may have men in the force but their motivation, training, and also sociological aspects become important. A man may be motivated pyschologically and have a particular mindset; nonetheless, you must understand that geography and spatial location also play an important role in developing the psyche of a person.

With these few words, Sir, I would like to say that the Bill not only commends a great, full-throated support, but needs to be strengthened further as well looking into the development aspects, because security is not a static subject. The requirements of society, a society which is not static, which is ever developing, ever changing, keeping in tune with changing times must be kept in view. Whether we bring in three or ten bills, we must have a provision inbuilt in any legislation whereby through rules or through your intervention, the perspectives about security and its comprehension are kept in view. Thank you, Sir.

SHRI PRASANTA CHATTERJEE (West Bengal): Mr. Deputy Chairman, Sir, this Bill was discussed in the Standing Committee and the Standing Committee has made unanimous

recommendations. I would like to touch upon two areas where I would like some amendments and I have highlighted that. I shall come to that at a later stage. Now, one of the objectives of the Bill is to extend the jurisdiction and deployment of CISF. That is the main object. The Bill seeks to extend the deployment of CISF from Central Government industrial undertakings to private industrial undertakings and joint ventures. Also, it seeks to enable deployment of CISF outside India. During discussions in the Standing Committee meeting we came to know that this has been done earlier in one or two cases. In one case, CISF was deployed to a UN Mission at Haiti and in another, perhaps at Nepal. Now, they seek to formalise this provision through an amendment.

Sir, I would like to bring out two serious aspects. The Standing Committee has opined that the area of operation of CISF should be left in the hands of the private sector when it is being deployed there. Sir, we are aware, in earlier days, CISF, even when deployed in PSUs, how they behaved brutally at many places. Examples are not rare. The hon. Minister is aware of the Tamil Nadu Neyveli case where they behaved brutally with workers. In my State, West Bengal, examples are not rare. The record of some private companies, who requested that CISF be placed there, is not good. They suppressed workers' demands. This is the aspect that we wish to point out. When CISF is deployed in private companies and the private sector, what is the guarantee that it would not be used to suppress the workers' demands and interfere in smooth resolution of industrial dispute? The Home Secretary appeared before the Standing Committee. He said, "No, that is a labour dispute." So, in my amendment, I have said that it would be very specifically mentioned that CISF should strictly be deployed to protect the installation, machineries and production only, and it would not be deployed by the industrial houses to interfere in the industrial dispute, land dispute and other local disputes. There may be some workers' dispute; they have no union. So, this issue has been highlighted in the Standing Committee's recommendations. So, this provision should be suitably protected in the Bill and I have submitted an amendment likewise.

Then, I would come to cost reimbursement. These aspects of cost charged from private sector joint venture in lieu of providing CISF security coverage, methodology of the billing system and whether the Government proposed to levy equal charges for both the private sector and joint venture industry were discussed in the Standing Committee meeting. The Home Secretary discussed this point that whether the Government should have a different reimbursement policy for the private sector. The Committee, after carefully discussing all the points, felt that the Government should formulate a comprehensive billing system for charging the cost from the private joint venture which must include, among others, all cost components - medical facilities, pension and gratuity - in lieu of providing CISF security coverage. The Government should ensure that it does not incur any expenditure, direct or indirect, for security coverage provided in any private installation. In any case, the cost for providing CISF protection to any private

industrial house must not be less than the cost for providing security protection to Government owned industrial houses, PSUs, or any Government establishment. That was the Committee's recommendation. So, on this point, I have given an amendment. This was the spirit expressed in the Standing Committee meeting on the issue of cost reimbursement. I think, the Ministry should think over these two issues, on which we have serious observations and amendments. It has already been mentioned that in other areas, these points will have to be clarified. What will be the co-ordination between the State Police and the CISF? I want these points to be clarified here.

The last point is that the CISF have very large section of woman cadres and they will be deployed in private establishments. So, their problems should be very carefully tackled. What are the measures to be taken by the Ministry so that they are not harassed while doing their duty at night time? Complaints of sexual abuse have been received from women employees. The woman organisations are raising this issue. So, these points are required to be clarified. I hope, the hon. Home Minister will give his opinion. With these words, I conclude.

SHRI SILVIUS CONDPAN (Assam): Mr. Deputy Chairman, Sir, while extending my support to this Bill, I would like to make some observation for kind consideration of the hon. Minister when he gives the reply to this debate. Sir, as per the Statement of Objects and Reasons of this Bill, it has been proposed in that the services of CISF will also be extended to the private sector. Sir, there is a problem with respect to the workmen working as security people in many establishments. Sir, I apprehend that with the extension of the services of the CISF, these workmen who are already working as security people in their respective establishments are likely to be disturbed by their employers and they might be victimised.

Secondly, as per our past experience of some establishments in the private sector, the State police forces are being deployed exclusively for the purpose of maintaining security. But, at many times, there are disputes and problems between the workmen and the management, and, while resolving their disputes or demands, some sort of law and order problem appears to arise. In those situations, these workmen have a right to agitate or even resign. But if the CISF people are placed there and they are used to repress the workmen from agitating to get their demands fulfilled, as they normally do, then, the services of the CISF will be utilised against the rights of the workers in the private establishment.

So, the Government will have to make some provision that the private sector establishment, that is, the management of the private sector will not influence the CISF people, who are placed at their disposal, in different ways, and, thereby use the forces against the workmen. These apprehensions are there because we have had this experience in certain sectors. This has been done by the management and it has been misused. Government security forces have been deployed in their establishments because of certain happenings or incidents, and, the forces

continued to remain in those establishments, and, the management are seen to be using their services for their interests and against the interests of the workers, their right to agitate or right to seek redressal of their grievances.

Sir, these are the areas where we, as trade unionists, as workmen are also concerned with them. We work with them. These are the problems which are likely to come up because it is most likely that they will use the Government forces in that manner. I am not accusing them but at many places, it has happened. Even in my own State, I have seen it and this is my own experience.

Sir, today, I have got the privilege to express it here and bring it to the notice of the hon. Minister. So, while amending the Act and extending it to the private sector, it should be ensured that the proposed amendment and extension of the CISF services to private establishments is not misused against the interests of the workmen. This is my humble submission, and, I hope that the Government will come out with some mechanism to see that the management will not be able to influence the CISF people who are placed at their disposal for the purpose of repressing the workers at any point of time. The Government should see that the services of the CISF should be used only for the purposes intended in this Bill. With these words, I support the Bill. Thank you.

SHRI ABANI ROY (West Bengal): Sir, I am not going to give any long speech here. I have got two points to make. If the CISF, the Central Industrial Security Force, is going into the private hands, then, there is no need to keep the word 'Central'. And, apart from that, those who are working in the CISF, they are getting something which is given to them by the Central forces. When they go into the private sector, they will lose many such things. I think, there will be a problem to give them in the private sector. CISF people are working at many places. We are deputing them even at railway stations and airports. So, why has this idea come at this level? I cannot understand that. I really do not know. Previously, when this Home Minister was the Finance Minister, the idea of privatisation came and now, here also, once again, the idea of privatisation is there. I cannot support it in this way. Thank you.

SHRI P. CHIDAMBARAM: Mr. Deputy Chairman, Sir, I am grateful to the hon. Members Shri Ahluwalia, Dr. Keshava Rao, Shri Prasanta Chatterjee, Shri Condpan and also Shri Abani Roy, even though he said he won't support the Bill, but, I think, eventually he will. Sir, the Bill recognises the felt needs of the times. Major industries have come up in the private sector, in the joint sector and more and more industries are coming up in the joint sector. There are also other establishments, heritage establishments, iconic establishments, which have to be protected. Although the Central Industrial Security Force was originally raised to provide security to public sector industrial undertakings. That concept has undergone change over the years. In fact, if you recall, many years ago, we allowed the CISF to provide consultancy services to the private sector, and we actually added a section, if I recall, section 14 A, to enable the CISF to provide consultancy services to the private sector. Much has changed since then. The attacks in Mumbai brought into focus that iconic establishments could also be the targets of terrorists.

Therefore, we are amending the Act to enable the CISF to extend its cover to joint sector as well as private sector establishments. We are doing it by a very simple amendment by defining the phrase "private industrial undertaking" to mean an industry owned, controlled or managed by a person other than the Central or State Government. So, private, joint and cooperative sector are covered. Legal advice has been taken. So, Dr. Keshava Rao's apprehensions can be allayed. "Anything owned by a person other than the Central or State Government" covers both private sector, joint sector as well as cooperative sector.

The second point is that we are taking power to deploy the CISF not only within India, but outside India also. Some of our Embassies require security. We may be required to join a UN Peace Keeping Mission which is why we are now adding the words "within and outside India". But, this will be very sparingly used, mainly for our Embassies and missions abroad.

The third amendment is that of establishment wishes to de-induct the CISF. It is now required to give one month's notice. But, we are now saying you have to give us three months' notice. It is because like induction has a cost, de-induction also has a cost. They will have to give us three months' notice, which, I think, everybody has agreed to. So, I think, the amendments, by themselves, are adequate. Let me now respond very briefly to some of the issues raised by hon. Members.

I think, when we look at the amending Bill, we must read it along with the main Act. Section 10 of the Act is a crucial section. It is the operative section. It says, 'It shall be the duty of every member of the force; (b) to protect and safeguard the industrial undertaking; (c) to protect and safeguard such other industrial undertaking, etc.; and (d) to protect and safeguard the employees of the industrial undertaking and installation.' That is its main duty. The duty of the CISF is to protect and safeguard industrial undertakings and their employees. It is not its business to take sides or intervene in industrial disputes or law and order disputes. In fact, if they do anything like that, that will be clearly breach of the duty. Their duty is only to protect the installation and employees of the installation. Therefore, I think these apprehensions are unnecessary.

When the Standing Committee raised the issues, the Home Secretary appeared before the Standing Committee and assured the Standing Committee that there were Standard Operating Procedures. SOPs are there. SOPs are clearly laid down that the CISF will not intervene in any dispute of any kind, whether it is land, or labour, or production, or movement of trucks. None of that is the business of the CISF. That is the business of the State Police, the law and order machinery. The business of the CISF is to protect the installation or the establishment.

In fact, I have specifically asked this question to the senior officers of the CISF who are present in the Officers' Gallery: Has there been any instance where labour has complained that

the CISF has intervened in an industrial dispute or a labour issue? The answer is, since, of course, the senior officers come on deputation, no known case in the last five years.

Let me assure this House that the SOPs are clear. I have advised them to read them once again to strengthen the Standard Operating Procedures to make it absolutely clear, it is no part of the business of the CISF to go beyond Section 10. They can only do what is mandated under Section 10. They shall not intervene in any other kind of dispute which is a matter between the management and the union and the State Government and the local police. So, I think apprehensions on this behalf must be finally set to rest.

Shri S.S. Ahluwaliaji raised the issue of watch and ward. I think he is right. It is not the business of the CISF to provide watch and ward duties. Maybe because they have a large number today, 1,12,000 personnel and only 280 establishments, it is possible that in some cases they are doing watch and ward duty. But that is not the business of the CISF.

This morning there was an elaborate presentation and I have given them very clear directions. Their functions will be divided into two parts; critical functions and non-critical functions. Non-critical function is the management's business to arrange their own watch and ward staff or whatever security staff. Critical function will be provided by the CISF. What is critical function? The critical function is that the CISF will have the striking power, the fire power, because no other person can carry a prohibitive bore weapon. Only the armed forces of the union can carry prohibitive bore weapons. The CISF is the armed force of the Union. It will be allowed to carry them, and, in fact, it has the right to carry weapons of high fire power. Their function is to ensure that they have the fire power and the striking power to deter any terrorist threat or any terrorist assault. That is their main function. In support of that function, of course, the management of the enterprise will engage a number of other people, maybe, a private security force. But we are making it clear that in its day-to-day operations, it will be under the overall command of the CISF. The CISF will be able to say how that function will have to be carried out.

Secondly, we have made it clear that we intend to go heavily into modern technology and modern gadgetry. We have identified infrared based video cameras, laser beams for perimeter protection, biometric or radio frequency based identity cards, radio frequency based vehicle identification, boom barriers, bollards, undercarriage checking system, x-ray baggage inspection system, multi-zone DFMDs and handheld metal detectors, and integrated control room with recording facility. We will go heavily into modern gadgetry and modern technology, because today in this complex world, it is the technology which has to be employed for providing security. As far as selection of the units is concerned, as I said, this won't happen overnight. We have a number of requests. But, I have told every one of them to wait. It's not as if overnight we can provide security. We have to raise the force, train the force and deploy the force. Priority will

be given to petroleum and natural gas, IT and communications, airports, power sector and sea ports. These are the most vulnerable ones; these are very critical for the economy. Imagine what happened when the oil sector officers struck work for 2-3 days. The whole economy can come to a grinding halt. Therefore, these are the sectors which are categorised in first priority. In second priority, we have put mining and steel. And, in the third priority, we have put some other establishments. Sir, these are matters which are operational. We must leave it to the senior officers of the CISF to evaluate the security threat to the establishment and the nature of the protection that it requires. I don't think we can lay down any hard and fast rule. A broad policy has been laid down. I have approved this policy this morning and I have told them that within these guidelines, you will now select the establishment and decide to extend security cover as and when you raise the force. We do not have a *mahila* battalion in the CISF and the reason, I believe, is that CISF is not organised on a battalion pattern. Except for six reserves battalions, CISF is deployed in units and the strength of the unit will depend upon the size of the establishment and the nature of the requirements. And, when they are deployed in units, some women are also deployed. We have 5,000 women in the CISF and I hope that many more will join and I hope that Shri Ahluwalia will encourage people from Jharkhand to join. I want many more women to join because I think women can do this job just as well men can do. There is no reason why women cannot do this job as well as men can do. Therefore, CRPF has got a *mahila* battalion. We don't raise a battalion as such. But, I want more and more to join and more and more women will indeed be deployed. Shri Ahluwalia, of course, raised a number of issues about cadre. All these will be attended to. This is not in the Bill. ***...(Interruptions)...***

SHRI S.S. AHLUWALIA: Every time they say that.

SHRI P. CHIDAMBARAM: There are more important things now. At the moment, we have to get our laws together. You were good enough to pass two laws in the last session. Please pass this one and one more, the PMLA, from my friend. That is part of the security infrastructure. It's important we pass these laws. People are happy that Parliament is quickly responding to the situation in passing these laws. ***...(Interruptions)...***

SHRI S.S. AHLUWALIA: Why I raised the cadre issue is because it was given in the Action Taken Report also. There is a notification. ***...(Interruptions)...*** But, it is not being implemented. That is the problem. Every time, we take it lightly. That's why, I said that it is a man behind the machine.

SHRI P. CHIDAMBARAM: I agree. I am not taking it lightly. I am not aware of the issue. Now that you have brought it to my knowledge, I will look into the issue and try to sort it out. ***...(Interruptions)...*** Yes, I am coming to that. On cost reimbursement, we have made it very clear. Section 14 is clear. It will be deployed on a cost reimbursement basis as opposed to

3.00 P.M.

a cost plus basis. The purpose of CISF cover is not to make a profit. This is not a commercial activity in that sense. This is, in fact, a sovereign activity. The sovereign has to provide security. But, today, there is a well-established accounting procedures and billing procedures by which even PSUs are getting this cover on a cost reimbursement basis. Let me assure you, the same principles will be applied and the same principles will be extended to private sector and joint sector. They will have to reimburse every single pie that the CISF incurs in providing the security. ...*(Interruptions)*... How can it be? The same principles will be applied. There is no question of any discrimination between private sector and public sector. I am sure, now, my hon. friend, comrade Prasanta Chatterjee is satisfied and, I hope, he will not press the amendments. We will deal with it in the SOPs and we will deal with it in the rules. The Bill may be passed with the official amendments that are moved.

MR. DEPUTY CHAIRMAN: Now, the question is:

That the Bill further to amend the Central Industrial Security Force Act, 1968, be taken into consideration.

The motion was adopted.

MR. DEPUTY CHAIRMAN: We shall now take up clause-by-clause consideration of the Bill.

Clauses 2 to 8 were added to the Bill.

MR. DEPUTY CHAIRMAN: There is one amendment for insertion of a new clause 9 (No.4) by the hon. Minister.

NEW CLAUSE 9

SHRI P. CHIDAMBARAM: Sir, I move:

4. That at page 2, *after* line 33, the following new clause be *inserted*, namely,-

"9.(1) The Central Industrial Security Force (Amendment) Ordinance, 2009 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act."

The question was put and the motion was adopted.

Clause 9 was added to the Bill.

CLAUSE 1 - SHORT TITLE AND COMMENCEMENT

MR. DEPUTY CHAIRMAN: In clause 1, there are two amendments (Nos. 2 and 3) by the hon. Minister.

SHRI P. CHIDAMBARAM: Sir, I move:

2. That at page 1, line 4, *for* the figure "2008", the figure "2009" *substituted*.

3. That at page 1, *for* lines 5 and 6, the following be *substituted*, namely,-

"(2) It shall be deemed to have come into force on the 10th day of January, 2009.";

The questions were put and the motions were adopted.

Clause 1, as amended, was added to the Bill.

ENACTING FORMULA

MR. DEPUTY CHAIRMAN: In the Enacting Formula, there is one amendment (No.1) by the hon. Minister.

SHRI P. CHIDAMBARAM: Sir, I move:

1. That at page 1, line 1, *for* the word "Fifty-ninth", the word "Sixtieth" be *substituted*.

The question was put and the motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

SHRI P. CHIDAMBARAM: Sir, I move:

That the Bill, as amended, be passed.

The question was put and the motion was adopted.

MR. DEPUTY CHAIRMAN: Now, we will take up the Prevention of Money-Laundering (Amendment) Bill, 2008.

The Prevention of Money-laundering (Amendment) Bill, 2008

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI PAWAN KUMAR BANSAL): Mr. Deputy Chairman, Sir, on behalf of my senior colleague, Shri Pranab Mukherjee, I beg to move:

That the Bill further to amend the Prevention of Moneylaundering Act, 2002, be taken into consideration.

Sir, the Prevention of Money-Laundering Act was enacted in 2002 and was enforced in 2005 to prevent money laundering and to provide for attachment, seizure and confiscation of proceeds of crime, obtained or derived, directly or indirectly, from money laundering.

Sir, to strengthen the legal framework for combating money laundering and the financing of terrorism, an Amendment Bill was moved in this hon. House, *i.e.* the Prevention of Money Laundering (Amendment) Bill, 2008. The Bill was referred to the Standing Committee, Sir. The Standing Committee on Finance deliberated on the Bill at length and gave certain recommendations to the Government. The Government has given serious consideration to those recommendations, and during the course of consideration of the Bill, clause-wise, I will be moving some of the amendments which have been accepted by the Government.